

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RONALD L. BASKETT,

Petitioner,

V.

KENNETH QUINN,

Respondent.

Case No. C07-1020RSL

**ORDER GRANTING LEAVE TO
FILE OVERLENGTH BRIEF AND
RENOTING MOTION FOR
CLARIFICATION**

This matter comes before the Court on “Petitioner Basket’s Motion for Leave to File an Overlength Brief in Support of Petitioner’s Motion Concerning the Certificate of Appealability Pursuant to Limited Remand.” Dkt. # 80. The motion should have been noted for consideration on the day it was filed pursuant to Local Civil Rules 7(f)(1) and 7(d)(1), and the Court will consider it as if properly noted.

Because the underlying motion for clarification presents an unusual procedural issue and requires a full explanation regarding the argument before the Ninth Circuit, the Court grants leave to file an overlength brief. Petitioner's twenty-page memorandum will be considered.¹ Respondents may file a twenty-page response, to which petitioner may reply in ten pages.

¹ Pursuant to Local Civil Rule 7(b)(1), “[t]he argument in support of the motion shall not be made in a separate document but shall be submitted as part of the motion itself.” The Court will not, therefore, consider the separate “motion” submitted by petitioner.

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1 The Ninth Circuit expects a status report or opening brief from petitioner on or
2 before April 6, 2009. The underlying motion for clarification seeks non-dispositive relief and
3 could have been noted on the Court's calendar for March 13, 2009, pursuant to Local Civil Rule
4 7(d)(3). The later noting date chosen by petition leaves the Court very little time in which to
5 consider the papers before petitioner has to proceed before the Ninth Circuit. The motion for
6 clarification will therefore be renoted on the Court's calendar.

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8 For all of the foregoing reasons, petitioner's motion for leave to file overlength
9 brief (Dkt. # 80) is GRANTED. The Clerk of Court is directed to renote "Petitioner's Motion to
10 Clarify and Expand the Certificate of Appealability Pursuant to the Ninth Circuit's Grant of a
11 Limited Remand" (Dkt. # 79) for Friday, March 13, 2009.

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13 Dated this 2nd day of March, 2009.

14 Robert S. Lasnik

15 Robert S. Lasnik
16 United States District Judge

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